

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

MARION KILER,

Plaintiff,

v.

HP INC.,

Defendant.

Civil Action No. 19-CV-00917

**ORAL ARGUMENT
REQUESTED**

**NOTICE OF DEFENDANT'S MOTION TO
DISMISS OR, ALTERNATIVELY, TO TRANSFER**

PLEASE TAKE NOTICE that Defendant HP Inc. ("HP"), through counsel, will move the Court, the Honorable Dora L. Irizarry, Chief United States District Judge, at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York 11201, at a date and time to be determined by the Court, to dismiss this action for lack of personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2) or, in the alternative, to transfer this action to the Northern District of California under 28 U.S.C. § 1404(a) and the doctrine of forum non conveniens. This motion is based on the accompanying Memorandum of Law in Support and Declarations of Angela Gustafson and Michael F. Fleming. The Court lacks personal jurisdiction over HP in this case.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: August 5, 2019

s/ Michael F. Fleming

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*Application for admission *pro hac vice* to be filed

Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of Defendant HP's Notice of Motion to Dismiss Or, Alternatively, to Transfer; Memorandum of Law In Support of Defendant's Motion to Dismiss Or, Alternatively, to Transfer; Declaration of Angela Gustafson; and Declaration of Michael F. Fleming and the exhibit thereto, were served on all counsel of record on August 5, 2019, via the Court's ECF/CM system.

/s/Michael F. Fleming
Michael F. Fleming